

FACTSHEET

TITLE: **SPECIAL PERMIT NO. 2022**, requested by Kent Seacrest on behalf of Ridge Development Company and Southview, Inc., to allow a Planned Service Commercial development in the H-4 General Commercial District, for approximately 172,650 sq. ft. of commercial floor area, with associated waiver requests, on property generally located at the northeast corner of the intersection of S. 27th Street and Yankee Hill Road.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUESTS: Change of Zone No. 3408 (03-166) and Use Permit No. 134A (03R-300)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 08/06/03
Administrative Action: 08/06/03

RECOMMENDATION: Conditional Approval, with amendment (9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes').

FINDINGS OF FACT:

1. This special permit for Planned Service Commercial and the associated Change of Zone No. 3408 and Use Permit No. 134A at the northeast corner of S. 27th & Yankee Hill Road were heard before the Planning Commission at the same time as Change of Zone No. 3409 and Use Permit No. 149 at the northwest corner of S. 27th & Yankee Hill Road.
2. This is a request for 172,650 sq. ft. of commercial floor area with waivers to allow zero setbacks for Lots 1 and 2, Block 1, and Lots 1-12, Block 2; to reduce the front yard setback from 50' to 40' along South 27th Street; and to reduce the minimum lot area in H-4 from 15,000 sq. ft. to 4,000 sq. ft.
3. The staff recommendation of conditional approval, including approval of the waiver requests, is based upon the "Analysis" as set forth on p.5-7, concluding that, with minor modifications, this proposal generally complies with the Zoning Ordinance and the Comprehensive Plan. Special conditions regarding lighting and signage were submitted by the applicant to mitigate the impacts of auto sales uses.
4. The applicant's testimony is found on p.10-11, including a request to amend to add Condition #1.1.12 (now Condition #1.1.11 due to an error in numbering sequence) to clarify exterior building materials and facade.
5. There was no testimony in opposition.
6. On August 6, 2003, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend conditional approval, with amendment adding Condition #1.1.12 (now Condition #1.1.11 due to an error in numbering sequence), as requested by the applicant.
7. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been satisfied and the revised site plan is attached (p.18).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 13, 2003

REVIEWED BY: _____

DATE: October 13, 2003

REFERENCE NUMBER: FS\CC\2003\SP.2022

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for August 6, 2003 PLANNING COMMISSION MEETING

(**As Revised and Recommended by Planning Commission: 8/06/03**)

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for the special permit and the use permit.

P.A.S.: Change of Zone #3408 From O-3 Office Park and B-2 Planned Neighborhood Business to H-4 General Commercial

Special Permit #2022 **To allow Planned Service Commercial in the H-4**
Use Permit #134A To amend the existing use permit to allow office.

PROPOSAL: To allow 217,525 square feet of auto sales, auto body repair, auto and truck wash facilities, office, restaurant and financial floor area.

LOCATION: Northeast of the intersection of South 27th Street and Yankee Hill Road.

WAIVER REQUESTS:

- 1. To allow 0' setbacks for Lots 1 and 2, Block 1, and Lots 1-12, Block 2.**
- 2. To reduce the front setback from 50' to 40' along South 27th Street.**
- 3. To reduce the minimum lot area in the H-4 from 15,000 to 4,000 square feet.**

LAND AREA: Approximately 29.63 acres.

CONCLUSION: With minor modifications, this request generally complies with the Zoning Ordinance and the Comprehensive Plan.

RECOMMENDATION:	Change of Zone #3408	Approval
	<u>Special Permit #2022</u>	<u>Conditional Approval</u>
<u>Waivers:</u>		
	<u>0' setbacks</u>	<u>Approval</u>
	<u>Reduce front setback from 50' to 40'</u>	<u>Approval</u>
	<u>Reduce minimum lot area to 4,000 square feet</u>	<u>Approval</u>
	Use Permit #134	Conditional Approval
Waivers:		
	0' setbacks	Approval
	Reduce front setback from 50' to 40'	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: CZ#3408 - See attached
SP#2022 and UP#134A - See attached.

EXISTING ZONING: O-3 Office Park and B-2 Planned Neighborhood Business

EXISTING LAND USE: Undeveloped.

SURROUNDING LAND USE AND ZONING:

North:	Residential under development	R-3
South:	Agriculture	AG
East:	Undeveloped (app'd for attached single-family residential)	R-4
West:	Residential under development	AG, R-4

ASSOCIATED HISTORY:

CPA#03014 - A Comprehensive Plan Amendment approved by the City Council on **July 14, 2003** and by the County Board on **July 15, 2003** locating a community commercial center at the intersection of South 27th Street and Yankee Hill Road.

UP#134 - Approved **April 5, 2002** allowing 316,450 square feet of commercial and office floor area.

PP#00029 and CZ#3298 - The preliminary plat of Pine Lake Heights South 4th was approved on **April 5, 2002**. This preliminary plat included commercial centers near the intersections of both South 27th Street and Yankee Hill Road, and South 40th Street and Yankee Hill Road, and R-3 and R-4 areas for residential development. The change of zone revised the zoning pattern previously approved with CZ#3105.

ANNEX #98005 - Approved **February 3, 1999**, the land within this preliminary plat was annexed along with approximately 450 acres of land southwest of the intersection of South 27th Street and Yankee Hill. An annexation agreement was also approved and subsequently amended **September 1, 2000**.

CZ #3105 - Approved in **February, 1999**, changed the zoning on this site from AG to R-3, R-4, B-2 and O-3.

CPA #94-31 - In **February, 1999**, this comprehensive plan amendment approved the S1/S2 Sub-area Plan.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F 20 - Community Form -Development Principles
- Mix of office, retail and service uses
- Transition of uses; less intense office uses near residential areas

- Multiple vehicular connections between residential neighborhood and commercial center and multiple access points in and out of area

Page F25 - This site is designated for commercial land uses on the Land Use Plan.

Page F27 - Urban Growth Tiers - This site is within the City's Future Service Limit.

Page F38 - General Principles for all Commercial and Industrial Uses - Commercial and industrial districts in Lancaster County shall be located:

- within the City of Lincoln or incorporated villages;
- outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning);
- where urban services and infrastructure are available or planned for in the near term
- in sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan;
- in areas compatible with existing or planned residential uses;
- in areas accessible by various modes of transportation (i.e. automobile, transit and pedestrian).

Page F87 - Transportation Planning Principles

- A Balanced Transportation System - The concept of balance also applies to methods of transportation. While the system must function well for motor vehicles, it should also establish public transportation, bicycling, and walking as realistic alternatives now and into the future.

Page F91 - Other Areas

- All areas of the community should have safe, secure and reasonably direct pedestrian connections. Activities of daily living should be available within walking distance. Neighborhoods should include homes, stores, workplaces, schools, and places to recreate. Interconnecting streets, trails, and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, and conserve energy.

UTILITIES: All utilities are available to serve this project.

TRAFFIC ANALYSIS: The site has multiple driveways to Grainger Parkway which is a full-turning movement intersection at South 27th Street. There is also access to South 30th Street which is a full-turning movement intersection at Yankee Hill Road. There is direct access to South 27th Street and Yankee Hill Road at both Jamie Lane and Williamson Drive, both of which are limited to right-in and right-out turning movements. Internal access is provided by a private roadway and a public access easement across all drives and parking stalls. South 27th Street is built to the rural cross-section standard; Yankee Hill Road is improved from South 14th Street to 450' beyond South 27th Street - from that point east the street is still a gravel road.

The September 1, 2000 amendment to the 1999 annexation agreement further defines the responsibilities between the City and the developer regarding off-site improvements in this area. Generally, the developer is financially responsible for improving Yankee Hill Road between Wilderness Ridge Drive and 450' east of South 27th Street, and for contributing to the cost of improving South 40th Street from 450' south of Yankee Hill Road north to where the pavement currently ends. Many of the remaining improvements to South 27th Street and to Yankee Hill Road in this area are the responsibility of the City.

Recommended improvements to the surrounding arterial street system are addressed in the traffic impact study submitted with this request. This study considers both this proposal and the one for a

neighborhood business center northwest of the intersection of South 27th Street and Yankee Hill Road. However, Public Works notes in their review that the responsibility for all the recommended improvements in the traffic study has not been addressed, and recommends that the issue be resolved prior to consideration by City Council.

ANALYSIS:

1. When approved in 2002, Use Permit #134 allowed 316,450 square feet of office and commercial floor area. The office uses were located at the north one-third of the site, and the remainder was shown for commercial uses.
2. The floor area within this development has been reduced to 197,750 square and will accommodate an automobile dealership. The difference in floor area from what was previously approved has been moved to the west side of South 27th Street in the Stone Ridge Estates development. That proposal is requesting 151,000 square feet of neighborhood business floor area.
3. This plan shows a proposed layout that includes 197,750 square feet of floor area, however, the applicant is requesting that the approved floor area exceed this amount by 10%. This would provide for a total of 217,525 square feet to allow for minor deviations in building design and tenant preference. This is acceptable provided any increase in floor area above 197,750 up to the maximum 217,525 square feet is subject to review by administrative amendment. Any such request will be required to demonstrate that the increase does not exceed the limits established in the traffic study, and that it complies with all other requirements of the Zoning Ordinance and Design Standards.
4. A portion of the development is located in the O-3 district is subject to a use permit (UP#134A). The remainder is in the H-4 and subject to the requirements of that district and the special permit for planned service commercial. The floor area totals in the conditions of approval are separated out proportionately.
5. The project creates eight lots for commercial development surrounded by an outlot over which a common access easement is granted to the public. The requested waiver is to allow a 0' setback for all yards and allows for this lot configuration. In effect, the lots are building envelopes and structures are allowed to be built to the property line and the outlot provides separation from surrounding properties. This is a typical design strategy for this type of commercial development and the waiver is appropriate.
6. A reduction in the front setback along South 27th Street is requested as consideration for the required dedication for right-of-way. The dedication of 10 additional feet of right-of-way along South 27th Street is needed to help provide the 130' required within 700' of a major intersection. The same waiver was granted previously for Use Permit #134.
7. A waiver to the minimum lot area in the H-4 is requested from 15,000 to 4,000 square feet in area. As all fourteen lots are surrounded by the same outlot in a development approximately 30 acres in area, this waiver is appropriate.

8. The landscape plan shows required street trees and parking lot landscaping, but does not include the required screening for H-4 adjacent to a residential district. The plan must be revised to show the required screening. As noted in the Parks and Recreation Department review, additional street trees are required at the intersection of Jamie Lane and Williamson Drive and must be included on the revised landscape plan. Individual lot landscape plans will be submitted at the time of building permits per Use Permit Note #1.
9. The bike trail system extends along Yankee Hill Road in this area, and is located on the north side of the street adjacent to this project. If possible, the trail should be pulled away from the street to provide separation between pedestrian/bike and vehicular traffic. A prepared and graded platform must also be shown.
10. To enhance pedestrian access and connectivity with the surrounding residential areas, additional sidewalk connections are needed: three sidewalk connections from Lot 4 to South 30th Street including painted walkways across the parking lot; from Lot 2 to Jamie Lane including painted walkways across the parking lot; and, from Lots 1 and 11 to Jamie Lane including painted walkways across the parking lots.
11. Revisions to the grading and drainage plan and to the utility plan are required per the attached reviews from Public Works and Utilities. Public Works also notes that a waiver to storm water detention has been requested, as on-site detention is not provided on the plan. This is a waiver that may be approved administratively and has been granted by the Director of Public Works.
12. A discrepancy in the metes and bounds legal description was noted during review. It must be corrected prior to this item being forwarded to City Council.
13. Grainger Parkway extends across South 27th Street into the Stone Ridge Estates development. It must be shown on both sides of South 27th Street so correct alignment can be confirmed.
14. Public Works has noted additional revisions to the street layout: The intersection radii at South 27th Street and Jamie Lane, and at Yankee Hill Road and Williamson Drive must show the standard commercial vehicle radii; and, the south access drive to South 30th Street should be moved north to provide for vehicle stacking and reduce congestion at the intersection.
15. Public Works notes in their review that improvements to surrounding arterial streets were addressed in the June, 2003 traffic study for this area, but the assignment of financial responsibility has not been decided. This must occur prior to approval of this request.
16. This request is an appropriate use of land at this location. However, such developments must be designed to both integrate into the neighborhood and be accessible. To this end, the additional recommended sidewalk connections should be made, and additional screening beyond the minimum required by design standards should be provided between the development and the adjacent residential areas to the east, especially those adjacent to the auto-related businesses.

Additionally, the Comprehensive Plan calls for new commercial development to set a higher standard with regard to design aesthetics and compatibility with surrounding development. A note was included on the plans for Stone Ridge Estates across South 27th Street noting that building materials and exterior treatments for the center are under design and would be submitted prior to the public hearing before the Planning Commission. The same consideration for this development would be beneficial and is encouraged. It is important that the facade of any building along Grainger Parkway not appear to be the back side of the building. Meters, air conditioning units and similar appurtenances should be located at the sides of buildings.

CONDITIONS:

Special Permit #2022

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1.1 Revise the site plan to show:

- 1.1.1 Required screening between the H-4 and residential districts, enhanced by the planting of additional landscaping to further buffer the center.
- 1.1.2 Corrections required per the Parks and Recreation Department's review including the relocation of the bike trail and the preparation and grading of a platform.
- 1.1.3 Additional sidewalk connections from Lot 4 to South 30th Street including painted walkways across the parking lot; from Lot 2 to Jamie Lane including painted walkways across the parking lot; and, from Lots 1 and 11 to Jamie Lane including painted walkways across the parking lots.
- 1.1.4 The intersection radii at South 27th Street and Jamie Lane, and at Yankee Hill Road and Williamson Drive with the standard commercial vehicle radii.
- 1.1.5 The south access drive to South 30th Street moved north to provide for vehicle stacking and reduce congestion at the intersection to a point approved by Public Works and Utilities.
- 1.1.6 A revised grading and drainage plan, and utility plan approved by Public Works and Utilities.
- 1.1.7 Note #10 revised to state "FOR H-4 AREA ONLY: MINOR ADJUSTMENTS IN THE FLOOR AREA OF EACH BUILDING MAY

MADE AT THE TIME OF BUILDING PERMITS PROVIDED THE TOTAL FLOOR AREA OF THE CENTER DOES NOT EXCEED 156,950 SQUARE FEET. ANY INCREASE IN FLOOR AREA ABOVE 156,950 UP TO THE MAXIMUM ALLOWED FLOOR AREA OF 172,650 MUST BE APPROVED BY ADMINISTRATIVE AMENDMENT.

- 1.1.8 Note #7 revised by deleting "OR WAIVED BY CITY COUNCIL."
- 1.1.9 Revised metes and bounds legal descriptions.
- 1.1.10 The Block 2 Land Use and Parking Summary revised to show Lot 8 zoned O-3.
- 1.1.11 Revise Note 17 to delete the existing language and insert the following:
"IN THE H-4 ZONE, AT LEAST 40% OF THE EXTERIOR FACADE AREA OF BUILDINGS UNDER 30,000 SQUARE FEET SHALL BE BRICK, STONE OR CULTURED STONE. IN THE H-4 ZONE, THE EXTERIOR MATERIALS OF FACADES FOR BUILDINGS 30,000 SQUARE FEET AND LARGER SHALL CONSIST OF BRICK OR STONE MASONRY, SPLIT-FACE CONCRETE MASONRY, ARCHITECTURAL PRE-CAST, SYNTHETIC STUCCO, OR A COMBINATION THEREOF." **(**Per Planning Commission, at the request of the applicant and agreed upon by staff, 8/06/03**)**

1.2 A signed agreement between the applicant and the City regarding financial responsibilities for required off-site improvements.

- 2. This approval permits 172,650 square feet of commercial floor area with waivers to allow 0' setbacks for Lots 1 and 2, Block 1, and Lots 1-12, Block 2; to reduce the front setback from 50' to 40' along South 27th Street; and, to reduce the minimum lot area in H-4 from 15,000 square feet to 4,000 square feet.

General:

- 3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are acceptable.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.

Standard:

- 4. The following conditions are applicable to all requests:

- 4.1 Before occupying any buildings all development and construction shall have been completed in compliance with the approved plans.
- 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established property owners association approved by the City Attorney.
- 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.

Prepared by:

Brian Will
Planner

July 24, 2003

**APPLICANT/
OWNER:**

Ridge Development and Southview, Inc.
3901 Normal Blvd, Suite 203
Lincoln, NE 68506
(402) 436-3111

CONTACT:

Kent Seacrest
1111 Lincoln Mall, Suite 350
Lincoln, NE 68508
(402) 435-6000

**CHANGE OF ZONE NO. 3408;
SPECIAL PERMIT NO. 2022,
PLANNED SERVICE COMMERCIAL CENTER;
and USE PERMIT NO. 134A
(Northeast corner of S. 27th & Yankee Hill Road)
and
CHANGE OF ZONE NO. 3409;
and USE PERMIT NO. 149
(Northwest corner of S. 27th & Yankee Hill Road)**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

August 6, 2003

Members present: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Steward and Schwinn.

Staff recommendation: Approval

Ex Parte Communications: Dan Marvin reported that he had a conversation with the applicant.

Proponents

1. Kent Seacrest appeared on behalf of **Ridge Development Company and Southview, Inc.** These proposals are for the northeast and northwest corners of 27th Street and Yankee Hill Road. The northwest corner is already zoned O-3 and B-2. The proposal basically keeps the O-3 and changes the B-2 into H-4 to permit auto dealerships. The west side is then proposed to be designated as B-2, which would then be the neighborhood center and services.

Seacrest reminded the Commission that both of these corners were in front of the Commission during the recent Comprehensive Plan Annual Review and this Commission unanimously recommended both of these reconfigurations, along with commercial further to the south.

With regard to the waiver of the front yard requirement, Seacrest pointed out that the proposal shows front yards up against all the public streets; however, the proposal shows a common parking lot with multiple buildings around that parking lot, and the parking lot is an outlot. The parking is to be shared with a business association. In order to make that outlot, they end up with a building site virtually having no front yard as they abut the parking lot or private roadway. This is a layout that is allowed and staff thought it rational in this case.

Seacrest then addressed the waiver request to reduce the front yard along South 27th Street from 50' to 40'. While the Comprehensive Plan calls for the public way corridor to be 120' right-of-way, it also calls for 130' near the intersections to allow dual left turn lanes. The dilemma is that we have not put those standards into the ordinances and design standards so it is not real clear how it is to

be handled when the city wants additional right-of-way. Seacrest pointed out that the 40' has been allowed in almost every commercial center in the last 10 years.

Seacrest advised that they did have neighborhood meetings, which were not well attended, and he believes the applicant addressed any and all concerns that were raised.

Seacrest then submitted motions to amend the conditions of approval on Special Permit No. 2022, Use Permit No. 134A and Use Permit No. 149. The motion to amend adds Condition #1.1.12 to Special Permit No. 2022, concerning the design standards for the buildings. They do have buildings with double fronts on the street and the common parking area and staff wanted to be sure there was not an ugly back side. Condition #1.1.12 is an attempt to note on the plan such things as the brick, stone, cultured stone, etc. The buildings will be dressed up. This same condition is proposed to be added as Condition #1.1.14 on the Use Permit No. 134A, and also as Condition #1.1.11 on Use Permit No. 149.

With regarding to the landscaping up against the residential neighborhood on the B-2 side, the applicant has agreed with staff to double the trees, which is the proposed amendment to Condition #1.1.2 on Use Permit No. 149. The proposed amendment to Condition #1.1.4 on Use Permit No. 149 deletes the sidewalk connection from Lot 4 to the drive entrance at Grainger Parkway. Staff thought that Lot 4 should have a connectivity to the "big box", but there is another sidewalk that provides sufficient access. Staff has agreed that it would be redundant for sidewalks to be so close to one another.

Seacrest believes that staff agrees with the proposed amendments.

There was no testimony in opposition.

Brian Will of Planning staff agreed with the proposed amendments to the conditions of approval. Steward referred to the added condition regarding the building materials and wondered why they would allow synthetic stucco on this list. Seacrest stated that the synthetic stucco is only allowed on a building over 30,000 sq. ft. The proposed building must meet the speculations of a national car dealer and their prototype for their buildings across the country is a white looking building. It is a situation that they checked out and tried to talk with the national company but they would not "bend" their rules.

CHANGE OF ZONE NO. 3408

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved approval, seconded by Duvall.

Carlson believes the developer did a good job. They did their homework and it shows.

Motion for approval carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

SPECIAL PERMIT NO. 2022

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved to approve the staff recommendation of conditional approval, with the amendments as proposed by the applicant, seconded by Duvall.

Carlson stated that he supports the motion, but he pointed out that the Comprehensive Plan does call for pedestrian connectivity and more pedestrian consideration in commercial areas. He thinks we are starting to see that and he appreciates it.

Motion for conditional approval, with amendments, carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

USE PERMIT NO. 134A

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved to approve the staff recommendation of conditional approval, with the amendments as requested by the applicant, seconded by Duvall and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

CHANGE OF ZONE NO. 3409

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

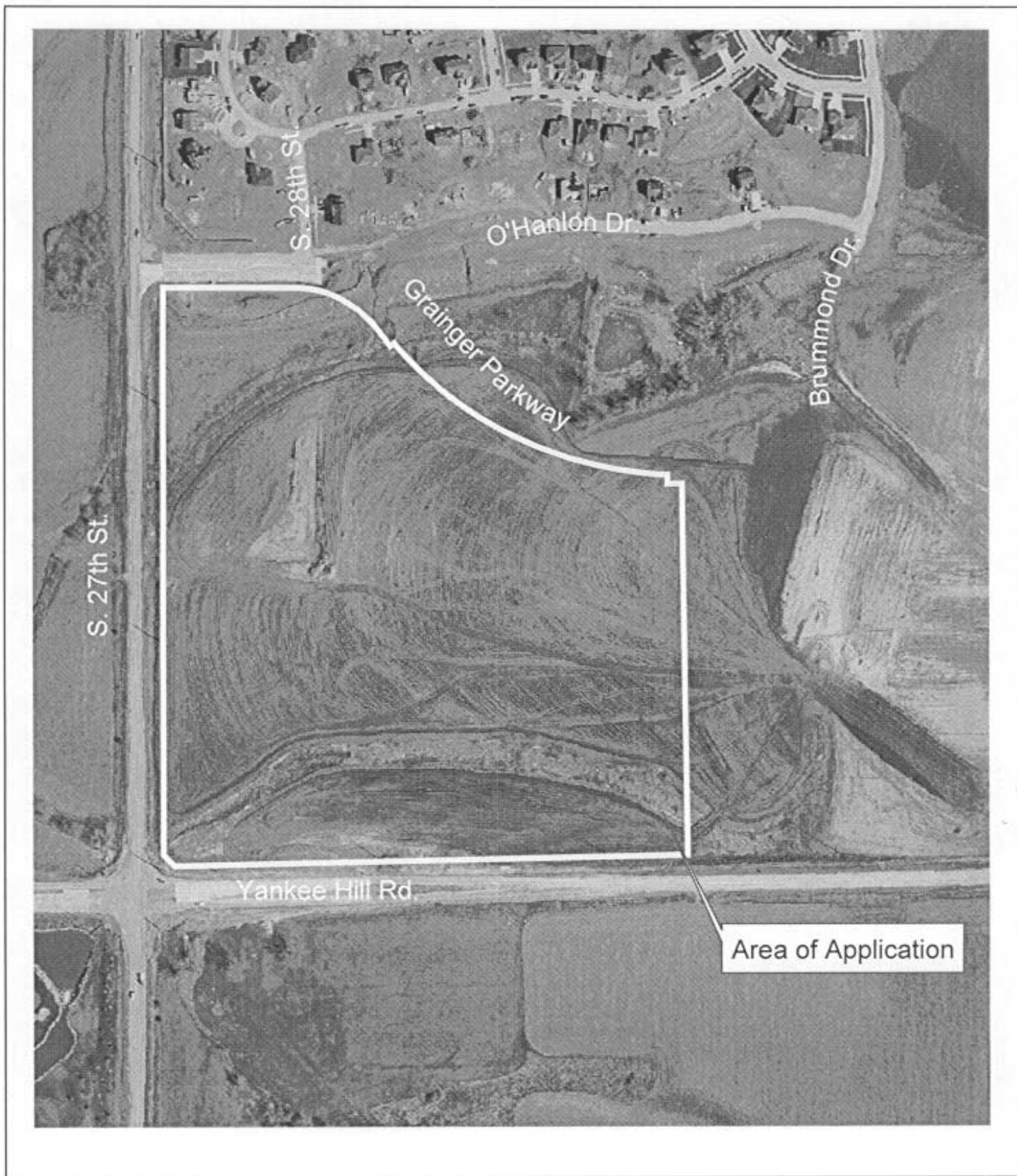
Steward moved approval, seconded by Bills-Strand and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

USE PERMIT NO. 149

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

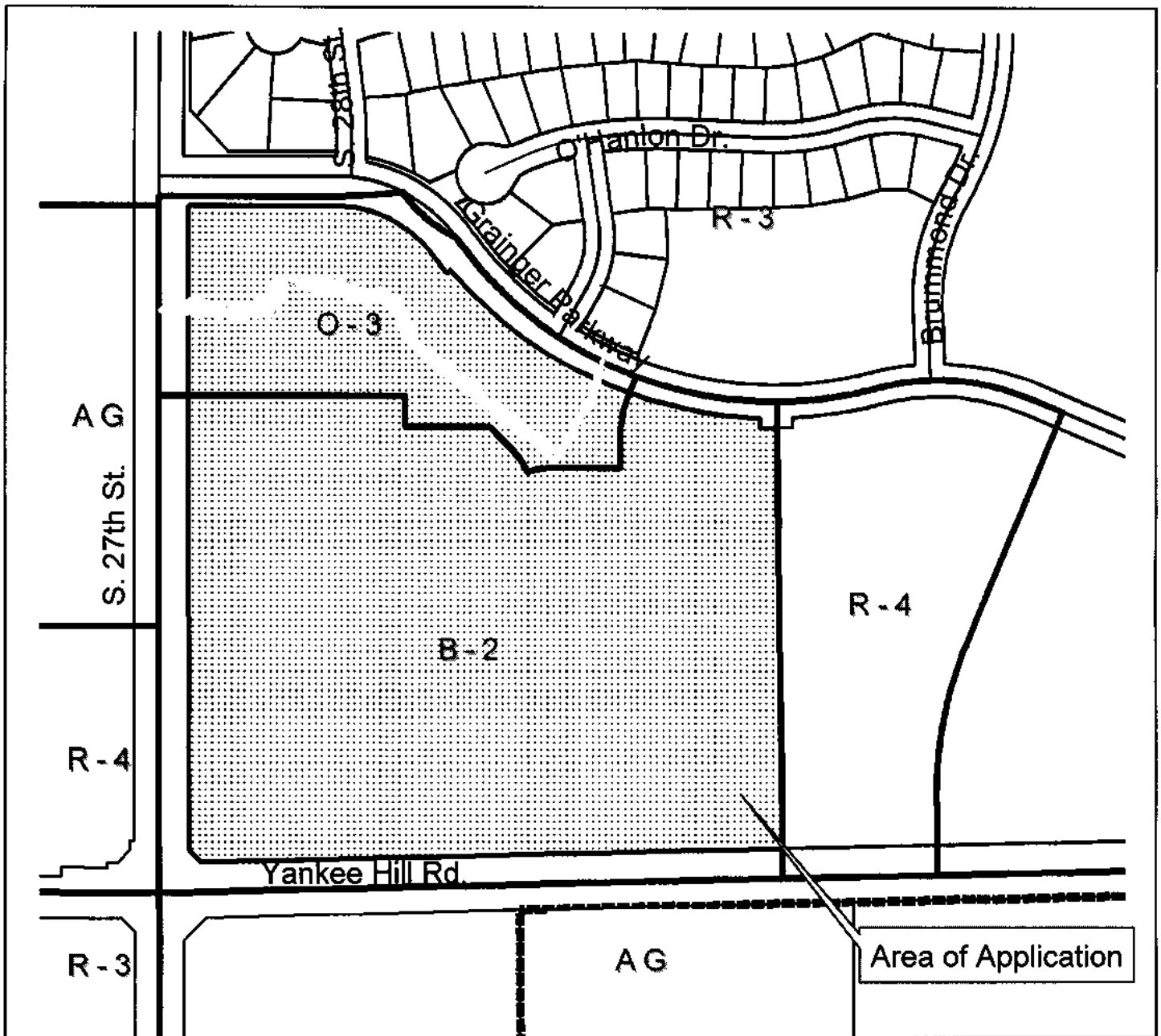
August 6, 2003

Steward moved to approve the staff recommendation of conditional approval, with the amendments as requested by the applicant, seconded by Bills-Strand and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.



**Special Permit #2022
Use Permit #134A
S. 27th & Yankee Hill Rd.**



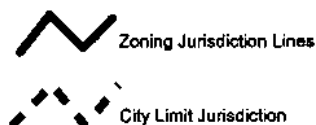


Special Permit #2022 **Use Permit #134A** **S. 27th & Yankee Hill Rd.**

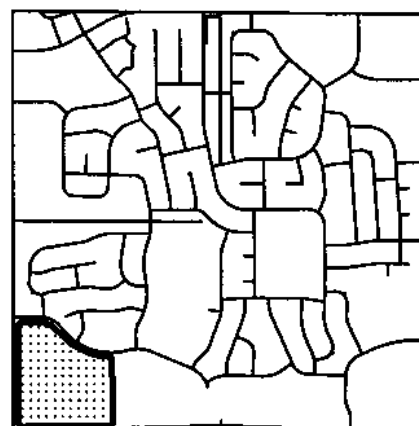
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 19 T9N R7E



S. 27th St.



Pine Lake Rd.

Yankee Hill Rd.



S. 40th St.

014

SP#2022

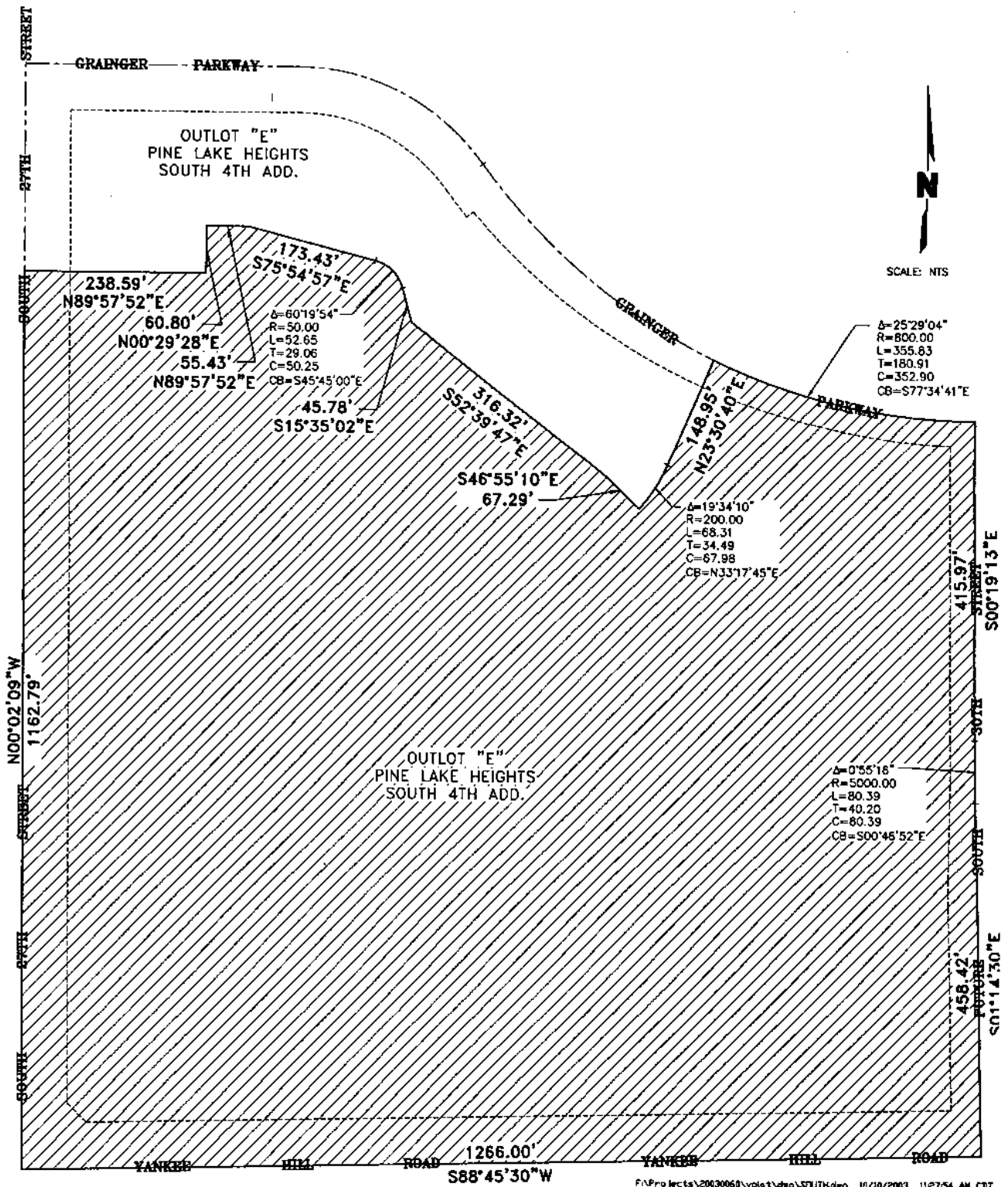
LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "E" PINE LAKE HEIGHTS SOUTH 4TH ADDITION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, SAID POINT BEING **THE TRUE POINT OF BEGINNING**, THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 02 MINUTES 09 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1,162.79 FEET TO A POINT, THENCE NORTH 89 DEGREES 57 MINUTES 52 SECONDS EAST, A DISTANCE OF 238.59 FEET TO A POINT, THENCE NORTH 00 DEGREES 29 MINUTES 28 SECONDS EAST, A DISTANCE OF 60.80 FEET TO A POINT, THENCE NORTH 89 DEGREES 57 MINUTES 52 SECONDS EAST, A DISTANCE OF 55.43 FEET TO A POINT, THENCE SOUTH 75 DEGREES 54 MINUTES 57 SECONDS EAST, A DISTANCE OF 173.43 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 50.00 FEET, ARC LENGTH OF 52.65 FEET, DELTA ANGLE OF 60 DEGREES 19 MINUTES 54 SECONDS, A CHORD BEARING OF SOUTH 45 DEGREES 45 MINUTES 00 SECONDS EAST, AND A CHORD LENGTH OF 50.25 FEET TO A POINT, THENCE SOUTH 15 DEGREES 35 MINUTES 02 SECONDS EAST, A DISTANCE OF 45.78 FEET TO A POINT, THENCE SOUTH 52 DEGREES 39 MINUTES 47 SECONDS EAST, A DISTANCE OF 316.32 FEET TO A POINT, THENCE SOUTH 46 DEGREES 55 MINUTES 10 SECONDS EAST, A DISTANCE OF 67.29 FEET TO A POINT TO ANON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 200.00 FEET, ARC LENGTH OF 68.31 FEET, DELTA ANGLE OF 19 DEGREES 34 MINUTES 10 SECONDS, A CHORD BEARING OF NORTH 33 DEGREES 17 MINUTES 45 SECONDS EAST, AND A CHORD LENGTH OF 67.98 FEET TO A POINT OF TANGENCY, THENCE NORTH 23 DEGREES 30 MINUTES 40 SECONDS EAST, A DISTANCE OF 148.95 FEET TO A POINT OF A NON TANGENT CURVE, SAID POINT BEING THE INTERSECTION WITH THE CENTER LINE OF GRAINGER PARKWAY RIGHT-OF-WAY, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 800.00 FEET, ARC LENGTH OF 355.83 FEET, DELTA ANGLE OF 25 DEGREES 29 MINUTES 04 SECONDS, A CHORD BEARING OF SOUTH 77 DEGREES 34 MINUTES 42 SECONDS EAST, AND A CHORD LENGTH OF 352.90 FEET TO A POINT, OF INTERSECTION WITH THE CENTER LINE OF FUTURE SOUTH 30TH STREET RIGHT-OF-WAY, THENCE SOUTH 00 DEGREES 19 MINUTES 13 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 415.97 FEET TO A POINT OF

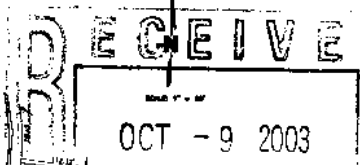
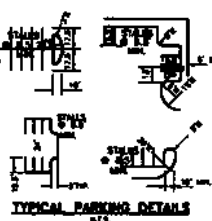
CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 5,000.00 FEET, ARC LENGTH OF 80.39 FEET, DELTA ANGLE OF 00 DEGREES 55 MINUTES 16 SECONDS, A CHORD BEARING OF SOUTH 00 DEGREES 46 MINUTES 51 SECONDS EAST ALONG SAID CENTER LINE, AND A CHORD LENGTH OF 80.39 FEET TO A POINT OF TANGENCY, THENCE SOUTH 01 DEGREES 14 MINUTES 30 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 458.42 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, THENCE SOUTH 88 DEGREES 45 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1,266.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 1,326,955.48 SQUARE FEET OR 30.4627 ACRES, MORE OR LESS.

October 10, 2003
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BLOCK 1 LAND USE & PARKING SUMMARY								
BLOCK LOT	ZONE	PLANNED AREA (sq. ft.)	USE	EXIST. PARKING	EXPLORED PARKING	DISPLAY PARKING	GR. PARKING	ACTUAL TOTAL
1	1	100	RESIDENTIAL	0	0	0	0	0
2	2	200	COMMERCIAL	0	0	0	0	0
3	3	300	INDUSTRIAL	0	0	0	0	0
4	4	400	RETAIL	0	0	0	0	0
5	5	500	OFFICE	0	0	0	0	0
6	6	600	SCHOOL	0	0	0	0	0
7	7	700	LIBRARY	0	0	0	0	0
8	8	800	CHURCH	0	0	0	0	0
9	9	900	CLUB	0	0	0	0	0
10	10	1000	GOVERNMENT	0	0	0	0	0
11	11	1100	UNIVERSITY	0	0	0	0	0
12	12	1200	RESEARCH	0	0	0	0	0
13	13	1300	MANUFACTURING	0	0	0	0	0
14	14	1400	WAREHOUSE	0	0	0	0	0
15	15	1500	LOGISTICS	0	0	0	0	0
16	16	1600	TRANSPORTATION	0	0	0	0	0
17	17	1700	AVIATION	0	0	0	0	0
18	18	1800	SPACE	0	0	0	0	0
19	19	1900	DEFENSE	0	0	0	0	0
20	20	2000	CONTRACTS	0	0	0	0	0
21	21	2100	TECHNOLOGY	0	0	0	0	0
22	22	2200	INFORMATION	0	0	0	0	0
23	23	2300	COMPUTERS	0	0	0	0	0
24	24	2400	SOFTWARE	0	0	0	0	0
25	25	2500	TELECOMMUNICATIONS	0	0	0	0	0
26	26	2600	TELEVISION	0	0	0	0	0
27	27	2700	RADIO	0	0	0	0	0
28	28	2800	TELEPHONE	0	0	0	0	0
29	29	2900	POSTAL	0	0	0	0	0
30	30	3000	MAIL	0	0	0	0	0
31	31	3100	POSTAL	0	0	0	0	0
32	32	3200	TELEVISION	0	0	0	0	0
33	33	3300	RADIO	0	0	0	0	0
34	34	3400	TELEPHONE	0	0	0	0	0
35	35	3500	POSTAL	0	0	0	0	0
36	36	3600	MAIL	0	0	0	0	0
37	37	3700	POSTAL	0	0	0	0	0
38	38	3800	TELEVISION	0	0	0	0	0
39	39	3900	RADIO	0	0	0	0	0
40	40	4000	TELEPHONE	0	0	0	0	0
41	41	4100	POSTAL	0	0	0	0	0
42	42	4200	MAIL	0	0	0	0	0
43	43	4300	POSTAL	0	0	0	0	0
44	44	4400	TELEVISION	0	0	0	0	0
45	45	4500	RADIO	0	0	0	0	0
46	46	4600	TELEPHONE	0	0	0	0	0
47	47	4700	POSTAL	0	0	0	0	0
48	48	4800	MAIL	0	0	0	0	0
49	49	4900	POSTAL	0	0	0	0	0
50	50	5000	TELEVISION	0	0	0	0	0
51	51	5100	RADIO	0	0	0	0	0
52	52	5200	TELEPHONE	0	0	0	0	0
53	53	5300	POSTAL	0	0	0	0	0
54	54	5400	MAIL	0	0	0	0	0
55	55	5500	POSTAL	0	0	0	0	0
56	56	5600	TELEVISION	0	0	0	0	0
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60	60	6000	MAIL	0	0	0	0	0
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62	62	6200	TELEVISION	0	0	0	0	0
63	63	6300	RADIO	0	0	0	0	0
64	64	6400	TELEPHONE	0	0	0	0	0
65	65	6500	POSTAL	0	0	0	0	0
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68	68	6800	TELEVISION	0	0	0	0	0
69	69	6900	RADIO	0	0	0	0	0
70	70	7000	TELEPHONE	0	0	0	0	0
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72	72	7200	MAIL	0	0	0	0	0
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76	76	7600	TELEPHONE	0	0	0	0	0
77	77	7700	POSTAL	0	0	0	0	0
78	78	7800	MAIL	0	0	0	0	0
79	79	7900	POSTAL	0	0	0	0	0
80	80	8000	TELEVISION	0	0	0	0	0
81	81	8100	RADIO	0	0	0	0	0
82	82	8200	TELEPHONE	0	0	0	0	0
83	83	8300	POSTAL	0	0	0	0	0
84	84	8400	MAIL	0	0	0	0	0
85	85	8500	POSTAL	0	0	0	0	0
86	86	8600	TELEVISION	0	0	0	0	0
87	87	8700	RADIO	0	0	0	0	0
88	88	8800	TELEPHONE	0	0	0	0	0
89	89	8900	POSTAL	0	0	0	0	0
90	90	9000	MAIL	0	0	0	0	0
91	91	9100	POSTAL	0	0	0	0	0
92	92	9200	TELEVISION	0	0	0	0	0
93	93	9300	RADIO	0	0	0	0	0
94	94	9400	TELEPHONE	0	0	0	0	0
95	95	9500	POSTAL	0	0	0	0	0
96	96	9600	MAIL	0	0	0	0	0
97	97	9700	POSTAL	0	0	0	0	0
98	98	9800	TELEVISION	0	0	0	0	0
99	99	9900	RADIO	0	0	0	0	0
100	100	10000	TELEPHONE	0	0	0	0	0

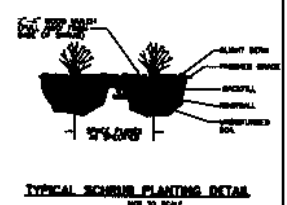
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CONTINUING CLIMATE DATA

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h=75.54	h=124.38
LO=131.54	LO=209.16



- KEY:
-  PROPOSED STREET TREE LOCATIONS
-  REFERENCE STREET TREE LOCATIONS



PLANT SCHEDULE									
STREET TREES									
KEY	LEAVES	CROWN SHAPE	BRANCHING SHAPE	DBH @ 4.5' FEET	LEAVES PER YEAR	LEAVES PER YEAR	LEAVES PER YEAR	LEAVES PER YEAR	LEAVES PER YEAR
A	AMERICAN LIME	SPREADING	SPREADING	12"	100	100	100	100	100
B	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
C	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
D	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
E	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
F	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
G	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
H	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
I	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
J	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
K	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
L	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
M	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
N	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
O	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
P	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
Q	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
R	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
S	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
T	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
U	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
V	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
W	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
X	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
Y	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100
Z	CHERRY LIME	SPREADING	SPREADING	12"	100	100	100	100	100

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MAIL SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

July 25, 2003

HAND DELIVERY

Brian Will
Planning Department
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Stone Ridge Estates Commercial Center and Pine Lake Heights South 4th Addition

Dear Brian:

The purpose of this letter is to clarify the amount of commercial square footage that is being requested for each of the above sites. Ridge Development Company and Southview, Inc. are requesting the ability to construct up to 166,100 square feet of commercial uses on the Stone Ridge Estates Commercial Center. This represents 110% of the 151,000 square feet of commercial uses currently shown on the site plan. Ridge Development Company and Southview, Inc. are requesting the ability to construct up to 217,525 square feet of commercial uses within Pine Lake Heights South 4th Addition. This number also represents 110% of the square footage of commercial uses currently shown on the site plan.

If you have any questions or need any additional information, please give me a call.

Very truly yours,


DANAY KALKOWSKI
For the Firm

Enclosure

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

May 15, 2003

HAND DELIVERY

Marvin Krout
Planning Director
County-City Building
555 South 10th
Lincoln, NE 68508

RE: Submittals for S. 27th Street and Yankee Hill Road Commercial Center

Dear Marvin:

Our law firm represents Ridge Development Company ("Ridge") and Southview, Inc. ("Southview"), the owners of the following tracts of property:

(i) NE Tract: a 30 acre tract located on the northeast corner of S. 27th Street and Yankee Hill Road. This Tract is currently zoned O-3 and B-2 and is subject to existing Use Permit No. 134.

(ii) NW Tract: a 16 acre tract located northwest of the S. 27th Street and Yankee Hill Road intersection. The major road entrance into this tract is approximately one-fourth mile north of the intersection of S. 27th Street and Yankee Hill Road at Grainger Parkway. This Tract is currently zoned AG.

Ridge and Southview are submitting applications for both the NE Tract and the NW Tract at the same time so that they can be reviewed together. Both Tracts are part of the Commercial Center designation currently shown in the Comprehensive Plan Annual Review as Comprehensive Plan Proposed Amendment No. 14.

NE TRACT

Ridge and Southview are requesting a slight reconfiguration of the O-3 zoning lines on the NE Tract, as well as a change of zone from B-2 to H-4. An amendment to existing Use Permit No. 134 is requested for the O-3 area showing office and a bank uses. A special permit for planned service commercial is requested for the H-4 area. The planned service commercial development includes a mix of retail uses, restaurants and a full service automobile dealership. The O-3 and H-4 areas show a combined total of 211,600 square feet.

In addition, Ridge and Southview are requesting a zoning text amendment to the planned service commercial special permit provision to allow automobile/truck wash facilities as an approved use within a planned service commercial development. Automobile/truck wash

facilities are permitted as a conditional use in the H-2 and H-3 zones, and automobile wash facilities are permitted as a conditional use in the B-2 zone and a permitted use in the B-5 zone. Automobile, motorcycle, and four-wheel truck sales, along with automobile repair, including vehicle body repair shops, are approved uses with a planned service commercial development. We think it is appropriate to allow automobile/truck wash facilities to also be located in the H-4 zone as part of a planned service commercial development. Because a planned service commercial development is a permitted special use in the H-4 zone, the City will have an opportunity to review site plans for automobile/truck wash facilities to insure it is compatible with abutting land uses.

We are requesting that the following waivers be added to the above mentioned project:

1. *To reduce the required front yard setback from 50' to 40' along South 27th Street and Yankee Hill Road in the H-4 zone.*

An additional 10' of right of way is being dedicated for South 27th Street and Yankee Hill Road. There is additionally a 10' pedestrian and landscape easement being dedicated. We are requesting a corresponding setback waiver for this 10' right of way dedication.

2. *A waiver of the internal yard setbacks to 0' for lots 1 thru 12, block 2.*

The proposed lots are surrounded by Outlot "A" that accounts for all parking and setback requirements.

3. *To waive the minimum lot sizing in the H-4 zoning from 15,000 SF to 4,000 SF.*

This waiver is in conjunction with waiver request #2. The proposed lots are surrounded by Outlot "A" that accounts for all parking and setback requirements. The lots are specifically for the buildings and are therefore substantially smaller.

Enclosed please find the following information supporting the requests for the NE Tract:

1. City of Lincoln Zoning Application
2. Certificate of Ownership
3. Application fee in the amount of \$1,365
4. 21 copies of the site plans
5. 9 copies of the grading/drainage plan
6. 9 copies of the landscape plan
7. 9 copies of the profile sheet

NW TRACT

Ridge and Southview are requesting a change of zone from AG to B-2 for the NW Tract, as well as a use permit for a 151,000 square feet neighborhood center. The neighborhood center contains a mix of uses including a grocery store.

We are requesting that the following waivers be added to the above mentioned project:

1. *To allow parking aisles to abut the private roadway.*

To maintain vehicular circulation through the site, the private roadway is shown along the front of the large Grocery / Commercial / Restaurant building. This private roadway intersects the driving aisles of the parking lot to the east. The private roadway has been discussed with Dennis Bartels at Public Works.

2. *A waiver to the design standards of Lincoln to not construct a sidewalk on the east side of South 26th Street (Private Roadway).*

This waiver is in conjunction with waiver request #1. Adequate room is not available to provide a sidewalk on the east side of South 26th Street due to the parking lot islands and drive aisles.

3. *A waiver to the design standards of Lincoln to allow curve "3" to have a radius of less than 150'*

The private roadway turns approximately 90 degrees at curve "3", however, a 30' driveway continues westward along the southern side of lots 1 and 2. This intersection functions as a "T" intersection rather than a 90 degree bend. The curve waiver has been discussed with Dennis Bartels at Public Works.

4. *A waiver of the internal yard setbacks to 0' for lots 1 thru 8, block 1.*

The proposed lots are surrounded by Outlot "A" that accounts for all setback requirements.

5. *To reduce the required front yard setback from 50' to 40' along 27th Street.*

An additional 10' of right of way is being dedicated for South 27th Street. This increases the South 27th Street right of way to 60' (measured from centerline). There is an additional 10' pedestrian and landscape easement being dedicated. We are requesting a corresponding waiver for the 10' right of way dedication from the required 50' setback.

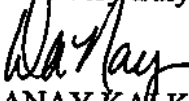
Enclosed please find the following information supporting the requests for the NE Tract:

1. City of Lincoln Zoning Application
2. Certificate of Ownership
3. Application fee in the amount of \$1,170
4. 21 copies of the site plans
5. 9 copies of the grading/drainage plan
6. 9 copies of the landscape plan
7. 9 copies of the profile sheet

Olsson Associates has been working with Public Works to complete a traffic study that encompasses the uses on both the NE Tract and NW Tract. The traffic study will be submitted under separate cover next week.

We look forward to working with you on these projects. If you have any questions regarding the above, please call me or Kent Seacrest at the number listed above, or Mark Palmer with Olsson Associates.

Yours very truly,


DANAY KALKOWSKI
For the Firm

Enclosure

cc: Mayor-Elect Coleen Seng
Council Member Jonathan Cook
Ridge Development Company
Southview, Inc.
Jerry Williamson
Jim Williamson

M e m o r a n d u m

To: Brian Will, Planning Department
From: Chad Blahak, Public Works and Utilities
Subject: Pine Lake Heights South 4th Addition Special Use Permit
Date: 7/23/03
cc: Randy Hoskins

Engineering Services has reviewed the Special Use Permit for Pine Lake Heights South 4th, located west of future South 30th Street between Yankee Hill Road and Grainger Parkway, and has the following comments:

Water Main - The water main in Jamie Lane near Grainger Parkway is shown to be located under paving. There appears to be room enough for the water main to be located behind the back of curb as per design standards.

Since the development is to be served via a public water main, the method of service will need to be approved through the building permit process.

Sanitary Sewer - The sanitary sewer system for this project is satisfactory.

Grading/Drainage - The storm sewer in area D1 needs to be adequate to capture and carry the overflow for storms greater than the 10yr storm from areas B1-B4 and C1 as the storm sewers in these areas are designed for the 10yr storm.

Although the pipe size for area F1 is adequate, the flow volume for the 100yr storm will require multiple inlets and possibly additional storm sewer. The storm sewer shown is satisfactory for the Use Permit, however, the construction plans will need to be reviewed at the time of plumbing permit submittal.

The storm sewer shown connecting to the South 30th Street storm sewer will need to be public and be located in a 30' public storm sewer easement as it drains portions of public right of way.

A waiver of storm water detention ¹⁵~~needs to be~~ requested. This waiver ¹⁵~~would be~~ supported by public works as detention has been provided upstream and downstream of this project on property owned by this developer.

Streets - Show Grainger Parkway on both the east and west side of South 27th Street to ensure that the lane configurations line up.

July 23, 2003

Change the intersection radii at 27th and Jamie Lane and Yankee Hill and Williamson Drive to standard commercial vehicle radii.

The south access drive to South 30th Street should be moved further north to reduce congestion near the 30th and Yankee Hill intersection.

Recommended improvements to the surrounding arterial street system have been addressed in the Pine Lake Heights South 4th Addition & Stone Ridge Estates Traffic Impact Analysis dated June 2003 prepared by Olsson Associates. However, responsibility for these improvements have not been addressed. As a result of land use changes and the development of the north west corner of 27th and Yankee Hill, the responsible parties for the improvements need to be discussed and agreed upon prior to the approval of this use permit.

General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

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Memo



To: Brian Will, Planning Department
From: Mark Canney, Parks & Recreation
Date: May 20, 2003
Re: Pine Lake Heights S. 4th Addition SP 2022

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. A trail needs to be shown running parallel to Yankee Hill Road. Pull the trail away from the street if possible. A platform needs to be prepared and graded for the trail.
2. Please correct spelling errors in the plant table (i.e. Plumilio Mugo Pine and Sunstation Barberry).
3. Street trees are required along the intersection of Jamie Lane and Williamson Drive. Please include tree species and location on revised landscape plan.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Brian Will	DATE: July 21, 2003
DEPARTMENT: Planning	FROM: Chris Schroeder
ATTENTION:	DEPARTMENT: Health
CARBONS TO: EH File EH Administration	SUBJECT: Pine Lake Heights South 4 th Addition SP #2022 UP #134A CZ #3408 Resubmittal

- The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the revised proposed Pine Lake Heights South 4th Addition development with the following items noted:
- While the proposed body shop was relocated to allow a greater buffer between the existing residential zoning to the east, the potential for odor complaints from the public is still a concern.
- The LLCHD has concerns regarding the proposed H-4 zoning and the allowed permitted and special uses in the H-4 zone. Specifically, as a permitted use, the H-4 zone allows warehouses and mini-warehouses. Our main concern is the possibility of the storage of hazardous chemicals and/or materials in close proximity to residential zoning.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.
- Water and sanitary sewer to be provided by the City of Lincoln.
- If water wells exist on the property, they must be properly decommissioned or permitted.
- If onsite wastewater systems exist on the property, they must be properly abandoned.

MOTION TO AMEND

I hereby move to amend the Conditions recommended by the Lincoln City/Lancaster County Planning Staff Report for Special Permit #2022 to read as follows:

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Revise the site plan to:
 - 1.1.1 Required screening between the H-4 and residential districts, enhanced by the planting of additional landscaping to further buffer the center.
 - 1.1.2 Corrections required per the Parks and Recreation Department's review including the relocation of the bike trail and the preparation and grading of a platform.
 - 1.1.3 Additional sidewalk connections from Lot 4 to South 30th Street including painted walkways across the parking lot; from Lot 2 to Jamie Lane including painted walkways across the parking lot; and, from Lots 1 and 11 to Jamie Lane including painted walkways across the parking lots.
 - 1.1.5 The intersection radii at South 27th Street and Jamie Lane, and at Yankee Hill Road and Williamson Drive with the standard commercial vehicle radii.
 - 1.1.6 The south access drive to South 30th Street moved north to provide for vehicle stacking and reduce congestion at the intersection to a point approved by Public Works and Utilities.
 - 1.1.7 A revised grading and drainage plan, and utility plan approved by Public Works and Utilities.
 - 1.1.8 Note #10 revised to state "FOR H-4 AREA ONLY: MINOR ADJUSTMENTS IN THE FLOOR AREA OF EACH BUILDING MAY MADE AT THE TIME OF BUILDING PERMITS PROVIDED THE TOTAL FLOOR AREA OF THE CENTER DOES NOT EXCEED 156,950 SQUARE FEET. ANY INCREASE IN FLOOR AREA ABOVE 156,950 UP TO THE MAXIMUM ALLOWED FLOOR AREA OF 172,650 MUST BE APPROVED BY ADMINISTRATIVE AMENDMENT."

1.1.9 Note #7 revised by deleting "OR WAIVED BY CITY COUNCIL."

1.1.10 Revised metes and bounds legal descriptions.

1.1.11 The Block 2 Land Use and Parking Summary revised to show Lot 8 zoned O-3.

1.1.12 Revise Note 17 to delete the existing language and insert the following:
"IN THE H-4 ZONE, AT LEAST 40% OF THE EXTERIOR FACADE
AREA OF BUILDINGS UNDER 30,000 SQUARE FEET SHALL BE
BRICK, STONE OR CULTURED STONE. IN THE H-4 ZONE, THE
EXTERIOR MATERIALS OF FACADES FOR BUILDINGS 30,000
SQUARE FEET AND LARGER SHALL CONSIST OF BRICK OR
STONE MASONRY, SPLIT-FACE CONCRETE MASONRY,
ARCHITECTURAL PRE-CAST, SYNTHETIC STUCCO, OR A
COMBINATION THEREOF."

1.2 A signed agreement between the applicant and the City regarding financial responsibilities for required off-site improvements.

2. This approval permits 172,650 square feet of commercial floor area with waivers to allow 0' setbacks for Lots 1 and 2, Block 1, and Lots 1 – 12, Block 2; to reduce the front setback from 50' to 40' along South 27th Street; and, to reduce the minimum lot area in H-4 from 15,000 square feet to 4,000 square feet.

General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are acceptable.

3.2 The construction plans shall comply with the approved plans.

3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:

4.1 Before occupying any buildings all development and construction shall have been completed in compliance with the approved plans.

4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established property owners association approved by the City Attorney.

- 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Requested by: SEACREST & KALKOWSKI, P.C.